



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO ATTENTION OF

VIA MAIL (azehraoui@eastchicago.com)

Abderrahman Zehraoui, Ph.D.
Director of Utilities
East Chicago Sanitary District
5201 Indianapolis Boulevard
East Chicago, Indiana 46321

Re: Non-compliance with Administrative Consent Order under the Clean Water Act

Dear Dr. Zehraoui:

The purpose of this letter is to remind you that the December 24, 2014, Administrative Consent Order ("Order") requires the East Chicago Sanitary District's (ECSD's or District's) to submit quarterly status reports.

Paragraph 50 of the Order states, "The Respondent shall submit a written report to EPA [U.S. Environmental Protection Agency] on the status of the completion of each item identified in the Order on a quarterly basis (January-March, April-June, July-September, and October-December), beginning on the first day of the month of the next calendar quarter following the effective date of the Order, and continuing until informed in writing by EPA that Respondent may cease sending such written reports. Reports will be due on the last day of the month following the last month of each calendar quarter."

Under this paragraph, ECSD was required to submit a quarterly status report on October 31, 2020. To date, ECSD has not submitted a quarterly status report for the third calendar quarter of 2020 nor requested orally or in writing an extension of this deadline.

ECSD remains in violation of Paragraph 50 of the Order, since the District has repeatedly failed to submit timely quarterly status reports and has failed to give advance notice of these failures. ECSD must submit the report for the third quarter of 2020 as soon as possible and advise EPA immediately when it will submit this report.

As we have been discussing for over a year now, EPA wants to work with ECSD to achieve the goal of compliance with all permit requirements and requirements of the Order so that EPA can terminate the Order. We have agreed in the past that good communication between EPA and ECSD is essential to reach this goal. Submitting timely reports is one element of good communication. A second element is periodic telephone conferences or video conferences so that we can identify obstacles to achieving our stated goal and collectively identify ways to overcome these obstacles. With that in mind, we invite ECSD staff to meet with EPA staff to work together to resolve the remaining unaddressed requirements in the Order. Please suggest times that are convenient for you and your staff, preferably before December 15, 2020.

If you have any legal question, please do not hesitate to call me at (312) 353-3804. You and your staff should direct technical inquiries to Newton Ellens. Mr. Ellens may be reached at (312) 353-5562.

Sincerely,

Steven P. Kaiser
Associate Regional Counsel
U.S. EPA, Region 5

Enclosure EPA letter to ECSD (08/05/2020)

Cc: Joe Allegretti (Outside Counsel)
 Natalie Maupin (IDEM)
 Newton Ellens (EPA)
 Molly Smith (EPA)
 Patrick Miller (EPA)